

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
Case No: 3:15-cv-354 -MOC-DSC**

LM RESTAURANTS, INC.,

Plaintiff,

v.

**ALE YEAH!, INC., ALE YEAH! ROSWELL,
INC., FILL ‘ER UP, LLC, FRANCISCO
VILA AND EDDIE HOLLEY,**

Defendants.

ORDER

THIS MATTER IS BEFORE the Court on Plaintiff’s Motion to Compel (document #81) responses to interrogatories and requests for production from Defendant Fill ‘Er Up, LLC (“Fill ‘Er Up”), and to deem admitted Request for Admission Nos. 1-9 to Defendant Fill ‘Er Up.

On August 30, 2016, the Clerk entered default against Defendant Fill ‘Er Up. (document #72).

Defendant Fill ‘Er Up has not responded to Plaintiff’s Motion, and the time for filing a response has expired.

THEREFORE, IT IS HEREBY ORDERED that:

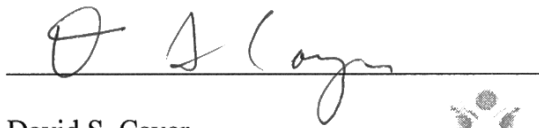
1. Within thirty (30) days of this Order Defendant Fill ‘Er Up shall respond fully without objection to Interrogatory Nos. 1-7 and produce all documents responsive to Request for Production of Document Nos. 1-25

2. Plaintiff’s Request for Admission Nos. 1-9 to Defendant Fill ‘Er Up are deemed admitted.

3. The Clerk shall send copies of this Order to Defendant Fill ‘Er Up, the remaining parties’ counsel; and to the Honorable Max O. Cogburn, Jr.

SO ORDERED.

Signed: February 9, 2017

A handwritten signature in black ink, appearing to read "D S Cayer", is written over a horizontal line.

David S. Cayer
United States Magistrate Judge

